

City of Alamo Heights
December 11, 2006

Ordinance No. 1685

**SINGLE FAMILY
RESIDENTIAL DEVELOPMENT STANDARDS**

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ORDINANCE NO. 1685

AN ORDINANCE
AMENDING THE ZONING ORDINANCE OF THE CITY OF
ALAMO HEIGHTS, BEXAR COUNTY, TEXAS, AS PASSED
AND ADOPTED ON THE 19TH DAY OF AUGUST, 1963,
TOGETHER WITH ALL AMENDMENTS THERETO, BY
AMENDING THE PROVISIONS OF ALL SECTIONS NOT IN
CONFORMANCE WITH THE PROVISIONS HEREIN SET
FORTH AND ADOPTING DEVELOPMENT STANDARDS
FOR THE SF-A AND SF-B ZONING DISTRICTS.

WHEREAS, existing structures in the single-family residential districts of the City reflect the distinctive features of the architectural, cultural, economic, political and social history of Alamo Heights; and

WHEREAS, the City Council has determined that the public welfare will be enhanced by protecting and promoting the established character and development patterns of its residential neighborhoods; and

WHEREAS, existing single-family residential neighborhoods reflect distinctive features of site design, front yard street character, trees and landscaping, charm and beauty which make Alamo Heights a desirable place to live; and

WHEREAS, Section 211.003 of the Texas Local Government Code authorizes home-rule municipalities to regulate land and structures within the municipality in terms of use, lot size, lot width, lot coverage, setbacks, height, density, size of yards and other open spaces, mass and volume of structures and parking; and

WHEREAS, the City Council has determined that the following regulations of mass, lot size, lot width, setbacks, lot coverage, height and parking are necessary and appropriate to promote the public welfare and to maintain and promote the existing neighborhood character that makes Alamo Heights a desirable and distinctive place to live;

WHEREAS, the Planning and Zoning Commission, after a public hearing was held on December 4, 2006, recommended that certain development standards applicable to the SF-A and SF-B districts in the Zoning Code of the City of Alamo Heights be amended; and

WHEREAS, the City Council received said recommendation from the Planning and Zoning Commission, and further recommendations from the Residential Development Standards Team, and after considering such recommendations is of the opinion that the health, safety, morals, convenience and general welfare of the City would be enhanced by adopting the hereinafter provided amendments to the Zoning Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALAMO HEIGHTS, TEXAS as follows:

SECTION 1. TITLE

This ordinance shall be known and cited as the Single Family Residential Development Standards Ordinance of the City of Alamo Heights.

SECTION 2. INTENT

It is the intent of this ordinance to provide zoning regulations in the single-family residential districts to:

- A. Assure that structures are compatible in scale with those of structures seen traditionally in residential neighborhoods of Alamo Heights in order to:
 - 1. Maintain the traditional scale of structures as seen along the street;
 - 2. Minimize visual impacts of larger structures on adjacent properties;
 - 3. Promote access to light and air from adjacent properties; and
 - 4. Promote structures that are proportional to their lot size.
- B. Adjust height standards that set absolute height limits.
- C. Establish standards to reduce the visual impact of parked cars and front facing garage doors in order to retain the sense of front yards along blocks of existing single-family homes.

SECTION 3. SCOPE OF REGULATIONS

This ordinance shall apply to all property located in the SF-A and SF-B zoning districts within the jurisdiction of the City of Alamo Heights. These regulations shall apply to any proposed project or structure that is submitted for permitting after the effective date of this ordinance, except that any applicant who has submitted an application for a permit protected by Chapter 245 of the Local Government Code shall be governed by the development standards in effect on the date that the original permit application was filed. A permit application expires on or after the 45th day after the date the application is filed if (a) the applicant fails to provide documents or other information necessary to comply with the City's technical requirements relating to the form and content of the permit application, (b) the City provides to the applicant not later than the 10th business day after the date the permit application is filed written notice of the failure to provide documents or other information required to comply with the City's technical requirements, which notice specifies the necessary documents or other information and the date the permit application will expire if the documents or other information is not provided, and (c) the applicant fails to provide the specified documents or other information within the time provided in the notice.

Existing structures and site improvements that do not comply with this ordinance are non-conforming structures which can be maintained and repaired as long as the structure footprint, height, envelope or site area are not expanded so as to increase the degree of non-conformity. In addition, existing structures and site improvements that do not comply with this ordinance that are damaged or destroyed by natural acts or by any means not resulting from the direct actions of the property owner can be rebuilt to their previous dimensions.

SECTION 4. ADMINISTRATION

The provisions of this ordinance shall be administered by the Public Works Director or his designee. Where special exceptions are noted, they shall be referred to the Board of Adjustment.

SECTION 5. SINGLE FAMILY (SF-A) DEVELOPMENT STANDARDS

- A. The intent of the development standards in the SF-A District is to allow for flexibility of a structure's mass and orientation based on lot size; and to ensure that properties undergoing redevelopment do not negatively impact the existing character and development patterns along block faces in the neighborhood.
- B. The dimensional standards found in Exhibit 1 shall apply to all lots in the SF-A Zoning District.
- C. Lot Coverage Maximum. Special Exception: The Board of Adjustment may grant a special exception to allow the increased maximum lot coverage to 38% in a case where less than fifty percent (50%) of the original structure is conserved in height, setbacks and massing, and where there are case-specific structural constraints or other mitigating factors related to the site.
- D. Permitted Encroachments in *Side and Rear Setbacks*
1. Air-conditioning units are allowed to encroach into any required side or rear yard setback. Such units shall be located as close to the structure as possible, and in no case shall they be located closer than three (3) feet to the property line or fence.
 2. A one-story covered front porch may project into the required front yard setback up to four (4) feet if it has a width of at least fifty percent (50%) of the width of the front façade, shall not have enclosing walls, screens and windows, and shall be a minimum of six (6) feet in depth.
- E. Structure Height Exceptions. Chimneys, ornamental cupolas, domes or spires are excluded from the height limits to the extent of eight (8) additional feet.

F. Required Off-Street Parking.

1. Two (2) covered parking spaces shall be required for each residential unit. Parking spaces shall be covered and located in a detached garage or carport located no closer than ten (10) feet from the rear of the main residential structure. Exceptions are provided as follows:
 - a. For lots greater than sixty-five (65) feet in width, garages may be attached to the main structure, provided that they are located towards the rear, beyond the midpoint of the main structure, and no closer than fifty (50) feet from the front yard property line, and accessed from the side to prevent garage doors facing the street.
 - b. For lots greater than seventy-five (75) feet in width, garages may be attached to the main structure, provided that they are positioned a minimum of eighteen (18) feet behind the primary front wall plane of the main structure. Attached garages meeting this standard may be accessed from the front, side or rear.
2. Each parking space shall be a minimum of eighteen (18) feet by nine (9) feet clear dimension.
3. No circular driveways or parking pads are allowed in the front yard setback for lots sixty-five (65) feet or less in width.
4. No parking pads shall be allowed on City rights-of-way.

SECTION 6. SINGLE FAMILY (SF-B) DEVELOPMENT STANDARDS

- A. The intent of the development standards in the SF-B District is to allow for flexibility of a structure's massing and orientation based on lot size; to ensure that properties undergoing redevelopment do not negatively impact the existing character and development patterns along block faces in the neighborhood; and to promote a scale compatible_ with the existing built-environment.
- B. The dimensional standards found in Exhibit 1 shall apply to all lots in the SF-B Zoning District.
- C. Lot Coverage Maximum. Special Exception: The Board of Adjustment may grant a special exception to allow the increased maximum lot coverage to 38% in a case where less than fifty percent (50%) of the original structure is conserved in height, setbacks and massing, and where there are case-specific structural constraints or other mitigating factors related to the site.
- D. Permitted Encroachments in Yards.
1. Air-conditioning units are allowed to encroach into any required side or rear yard setback. Such units shall be located as close to the structure as possible, and in no case shall they be located closer than three (3) feet to the property line or fence.
 2. A one-story covered front porch may project into the required front yard setback up to four (4) feet if it has a width of at least fifty percent (50%) of the width of the front façade, shall not have enclosing walls, and shall be a minimum of six (6) feet in depth.
- E. Structure Height Exceptions.
- Chimneys, ornamental cupolas, domes or spires are excluded from the height limits to the extent of eight (8) additional feet.

F. Required Off-Street Parking.

1. Two (2) covered parking spaces shall be required for each residential unit. Parking spaces shall be covered and located in a detached garage or carport located no closer than ten (10) feet from the rear of the main residential structure. Exception: For lots greater than seventy-five (75) feet in width, garages may be attached to the main structure, provided that they are positioned a minimum of eighteen (18) feet behind the primary front wall plane of the main structure. Attached garages meeting this standard may be accessed from the front, side or rear.
2. Each parking space shall be a minimum of eighteen (18) feet clear dimension.
3. No circular driveways or parking pads are allowed in the front yard setback for all lots except for those greater than 75 ft. in width.
4. No parking pads shall be allowed on City rights-of-way.

SECTION 7. DEFINITIONS

Accessory Structure. A secondary structure that is detached from the main structure.

Floor Area Ratio. A ratio of the total above ground gross floor area of all structures on a site to the total square footage of a lot (for example, a FAR of .53 for a 7,500 square foot lot is 3,975 gross square feet (.53 x 7,500) of floor area).

The following areas shall be included when computing the gross floor area:

1. Exterior walls: the thickness of the wall shall be included in the calculation;
2. Above grade floor area: Any room that has a wall surface that extends more than 3 feet above grade;
3. Laundry rooms, mechanical rooms, storage rooms, built-in cabinets and media niches;
4. Mezzanines and lofts;

5. Floor area used by stairways, elevators, escalators and similar features. The floor area of each run of stairs shall be counted once;
6. Vaulted ceilings: the floor area shall be counted at the actual floor area only and not in the air spaces;
7. Usable spaces (generally defined as having a 5-foot minimum height) such as rooms, closets and cabinets under a run of stairs;
8. Exterior structures and additions with a solid roof and enclosed on more than two sides in whole or part with permanent solid walls or windows such as porches, balconies, patios and breezeways;
9. Attached and detached garages and carports; and
10. Accessory buildings such as sheds, pool houses, guest houses, bonus rooms and second units.

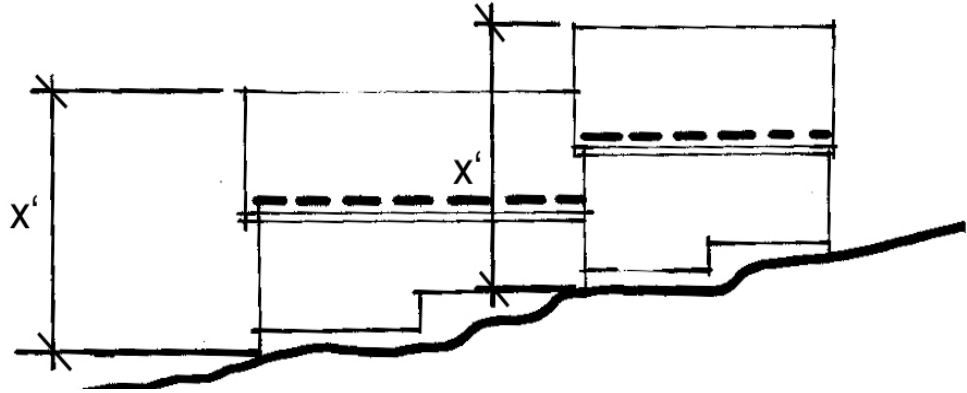
The following areas shall not be included when computing the gross floor area:

1. Below grade floor area: any area that has a wall surface that extends less than 3 feet above grade;
2. Porches, balconies, patios, breezeways, decks, overhangs, eaves, cantilevers and awnings with solid roof-like cover, but not enclosed on more than two sides;
3. Porches, balconies, patios, breezeways and decks that do not have a solid roof-like cover; and,
4. Attic space that is not habitable. If made habitable in the future, shall be included in floor area ratio.

Height. For the purposes of the SF-A and SF-B Districts, height is defined as follows:

1. For lots that slope less than ten percent (10%) upward or downward from the front property line to the rear property line, height is defined as the measurement from the average of the highest and lowest existing ground elevation points around the structure's entire foundation.

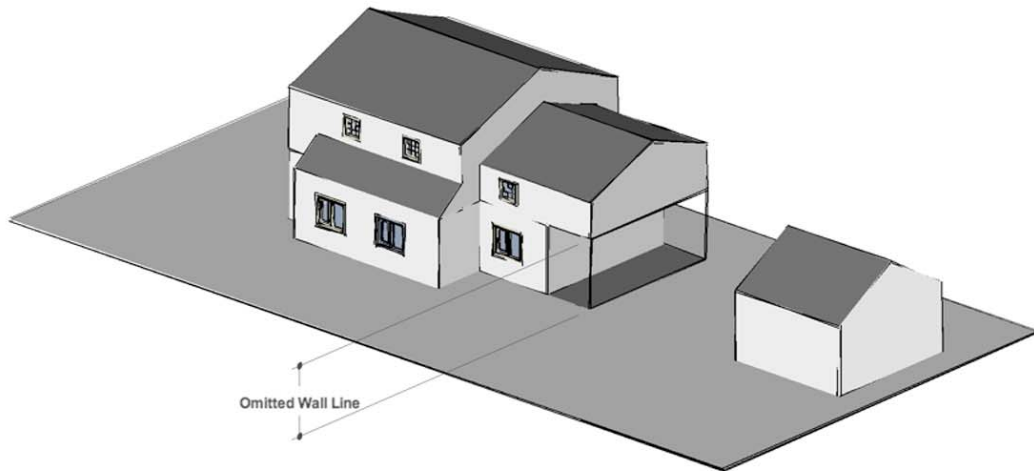
2. For lots that slope ten percent (10%) or more upward or downward from the front property line to the rear property line, height is defined as the measurement from and along the existing continuous grade with no wall exceeding the permitted height at any point within the lot



EXAMPLE: Height measurement on a sloping lot.

Lot. For the purposes of this ordinance, the term 'lot' refers to a project site which may consist of multiple platted lots or portions thereof.

Lot Coverage. For the purposes of the SF-A and SF-B Districts, lot coverage includes the total lot area covered by a roof, floor or other structures, except eaves. Coverage is measured to the outside faces of exterior walls or to the omitted wall lines (see example below), at any height, whichever produces the largest area. Carports, sheds, side and rear porches, covered pedestrian-walkways, breezeways, arbors, gazebos and covered patios are included in lot coverage calculations. One-story covered front porches up to fifteen (15) feet in height are excluded from lot coverage. Entryway arbors with open-air lattice framework under fifty (50) square feet in area and under eight (8) feet in height are also excluded from lot coverage.



EXAMPLE: Omitted Wall Line

Main Structure. The structure housing the primary living space.

Wall Plane, Front. A wall running parallel (or approximately so) to the front property line

Wall Plane, Primary Front. The dominant surface of the front wall of a structure as it faces the street. Does not include front porches.

Wall Plan, Side. A wall running parallel (or approximately so) to a side lot line.

SECTION 8. PENALTY FOR VIOLATION

Any person or corporation who shall fail to comply with any of the provisions of this ordinance or fail to comply with any of the requirements hereof, or who commits, takes part, directs, or assists in any such violation or who maintains or uses any structure or premises or part thereof in which any violation exists shall be guilty of a misdemeanor, and any such person or corporation upon conviction thereof in the Municipal Court of the City of Alamo Heights, Texas, shall be fined as provided in Section 1-5 of the Alamo Heights City Code. Each day that such violation shall occur, continue or be permitted to exist shall constitute a separate offense. Any owner or owners of any structure or premises or part thereof, who participates in, or knowingly and willingly permits a violation of this ordinance, and any architect, builder, contractor, agent, person or corporation employed in connection therewith who assists in the commission of any such violation shall be guilty of a separate offense and upon conviction thereof shall be fined as herein provided.

SECTION 9. REMEDIES FOR VIOLATION

Any person or corporation who shall fail to comply with any provisions of this ordinance, or who shall commit any of the acts described in Section 8 above, or be guilty of any of the omissions thereof, shall be liable to injunctive action, being subject to being enjoined and mandatorily enjoined in any court of competent jurisdiction, and shall be liable and responsible for any and all expenses that may be incurred by the City in connection with any such action, omission or other violation, including a reasonable attorney's fee.

SECTION 10. PRESERVING OTHER ORDINANCES NOT IN CONFLICT

The provisions of this ordinance shall take precedence over those of any existing zoning code or other ordinances of the City of Alamo Heights which contain provisions that are less restrictive than those specified in this ordinance or which are in conflict with this ordinance.

However, nothing contained in this ordinance shall mitigate, interfere with, alter or repeal any provisions of any other ordinance of the City of Alamo Heights not in conflict with the provisions of this ordinance.

SECTION 11. VALIDITY

If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part of the provisions thereof other than the part adjudged to be invalid or unconstitutional.

SECTION 12. EFFECTIVE DATE

This Ordinance shall become effective on December 19, 2006, five (5) calendar days after the publication of the caption of the Ordinance in the official newspaper of the City of Alamo Heights.

PASSED AND APPROVED this the _____ day of _____, 2006

MAYOR

ATTEST:

CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY

[illegible]

Single Family Residential Development Standards					December 11, 2006			
City of Alamo Heights					Attachment B			
Lot Width	SF - A				SF - B			
	50 ft. or Under	Greater than 50 ft. to 65 ft.	Greater than 65 ft. to 75 ft.	Greater than 75 ft.	50 ft. or Under	Greater than 50 ft. to 65 ft.	Greater than 65 ft. to 75 ft.	Greater than 75 ft.
HEIGHT								
MAIN STRUCTURE - FIRST 15 FT.								
Max. Building Height - Sloping Roof to Top of Ridge	24 ft.*	28 ft.*	30 ft.	35 ft.	24 ft.*	24 ft.*	24 ft.	24 ft.
Max. Building Height - Flat Roof to Top of Parapet	22 ft.*	25 ft.*	28 ft.	28 ft.	22 ft.*	22 ft.*	22 ft.	22 ft.
MAIN STRUCTURE - BEYOND FIRST 15 FT.								
Max. Building Height - Sloping Roof to Top of Ridge	28 ft.*	30 ft.*	32 ft.	35 ft.	28 ft.*	28 ft.*	28 ft.	28 ft.
Max. Building Height - Flat Roof to Top of Parapet	25 ft.*	26 ft.*	28 ft.	28 ft.	25 ft.*	25 ft.*	25 ft.	25 ft.
*Exception: If a 3 ft. pier/beam foundation is provided, sloping or flat roof height may increase by 2 ft.								
HEIGHT LOOMING STANDARD FOR MAIN STRUCTURE - ANY LOT DEPTH								
Max. Side Wall Plate Height as Ratio of Side Setback	2 x Setback*	2 x Setback*	2 x Setback*	2 x Setback*	2 x Setback*	2 x Setback*	2 x Setback*	2 x Setback*
*Exception: The first 6 ft. of wall plate below the ridge of a side gable roof.								
TOTAL HEIGHT OF ACCESSORY STRUCTURE - ANY LOT DEPTH								
Max. Building Height - Sloping Roof to Top of Ridge	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.
Max. Wall Plate Height for Sloping Roof at Side or Rear Setback	14 ft.	14 ft.	14 ft.	14 ft.	14 ft.	14 ft.	14 ft.	14 ft.
Max. Building Height - Flat Roof to Top of Parapet	14 ft.	14 ft.	14 ft.	14 ft.	14 ft.	14 ft.	14 ft.	14 ft.
HEIGHT MEASURED								
A. For lots that slope less than 10% from the front property line to the rear property line, height shall be measured from the existing ground elevation established by the average elevation of the highest and lowest ground elevation points around the structure's entire foundation.								
B. For lots that slope 10% or more from the front property line to the rear property line, height shall be measured along the existing continuous grade with no wall exceeding the permitted height at any point within the lot.								
C. Chimneys and other permitted items in Appendix A, Section 11 are excluded from height calculations								
DORMERS								
Min. Inset - As measured from the exterior wall face of the story below - All Structures	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.
Max. % of Roof Slope Area Covered by Dormers - Main Structure	40%	40%	40%	40%	40%	40%	40%	40%
Max. % of Roof Slope Area Covered by Dormers - Accessory Structure	50%	50%	50%	50%	50%	50%	50%	50%
PARKING								
Min. Covered Parking Spaces – Detached Rear Garage or Carport	2 spaces	2 spaces	2 spaces ^b	2 spaces ^c	2 spaces	2 spaces	2 spaces	2 spaces ^c
Circular Driveways and Parking Pads in Front Setback	Not permitted	Not permitted	Permitted	Permitted	Not permitted	Not permitted	Not Permitted	Permitted
Driveway - Max. width in front yard setback **	10 ft.	10 ft.	10 ft.	14 ft	10 ft.	10 ft.	10 ft.	14 ft
Curb Cut and Driveway Apron - max. width	12 ft.	12 ft.	12 ft.	14 ft	12 ft.	12 ft.	12 ft.	14 ft
Each parking space shall be a minimum 18 ft. x 9 ft. clear dimension.								
** The maximum curb cut on the side yard of a corner lot may be 24 ft. for garages accessed from the side street.								
^a Existing standards do not require parking spaces to be provided in a detached rear garage or carport.								
^b Exception: On SF-A lots greater than 65 ft. in width, garages may be attached to the main structure, provided that they are located towards the rear, beyond the midpoint of the main structure and accessed from the side (garage door does not face the street.)								
^c Exception: On lots greater than 75 ft. in width, garages may be attached to the main structure, provided that they are positioned a minimum of 18 ft. behind the primary front wall plane of the main structure. Attached garages meeting this standard may be accessed from the front, side or rear.								